

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 4 NUMBER 88

Washington, Saturday, May 6, 1939

Rules, Regulations, Orders

TITLE 10—ARMY WAR DEPARTMENT CHAPTER VIII—PROCUREMENT AND DISPOSAL OF EQUIPMENT AND SUPPLIES PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS¹

The supplement to Section 81.21, Title 10, Code of Federal Regulations, published in 4 F.R. 1029, is corrected to read as follows:

Bid, Performance, Payment and Patent Infringement Bonds

§ 81.21 *Option in lieu of sureties on bonds.*

(b) *Limitation of option; United States bonds or notes, certified checks or currency.* When not in conflict with law, the bidder may be limited to the option of furnishing a certified check, United States bonds, or currency, when the amount of the security does not exceed \$1,000, notice of such requirement to be given in the invitation to bidders. (R.S. 3709; 41 U.S.C. 5; 31 Stat. 905; 10 U.S.C. 1201) [Sec. II, Proc. Cir. No. 4, WD, February 15, 1939]

[SEAL] E. S. ADAMS,
Major General,
The Adjutant General.

[F. R. Doc. 39-1524; Filed, May 5, 1939; 10:34 a. m.]

TITLE 41—PUBLIC CONTRACTS DIVISION OF PUBLIC CONTRACTS IN THE MATTER OF THE DETERMINATION OF THE PREVAILING MINIMUM WAGES IN THE FURNITURE MANUFACTURING INDUSTRY

This matter is before me pursuant to Section 1 (b) of the Act of June 30, 1936

¹ These regulations supersede paragraph (b), Section 81.21, Title 10, Code of Federal Regulations.

(49 Stat. 2036; 41 U. S. C. Sup. III 35) entitled "An Act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes", (hereinafter called the Act). The Public Contracts Board, created in accordance with Section 4 of the said Act by Administrative Order dated October 6, 1936 held hearings¹ in the matter of the prevailing minimum wages in the Wood Furniture Manufacturing Industry, in the Public Seating Industry, and in the Metal Furniture Manufacturing Industry on November 15, 16, and 17, 1938, respectively.

Notice of the hearings was sent to all known members of the industries named, to trade unions, to trade publications, and to trade associations in the field. Invitation to attend the hearings was extended through the national press to all other interested parties.

Testimony was given at each hearing by industry members. Labor was represented at the Wood Furniture Manufacturing Industry hearing by United Brotherhood of Carpenters and Joiners of America; Upholsterers, Carpet Linoleum and Awning Workers' International Union of North America; United Furniture Workers of America; American Federation of Labor; and at the hearing in the matter of the Metal Furniture Manufacturing Industry by the Brotherhood of Painters and by the International Association of Machinists.

Appearances were made at the hearing in the matter of the Wood Furniture Manufacturing Industry by National Association of Furniture Manufacturers; The Grand Rapids Furniture Manufacturers Association; Trade Practice Committee, Public Seating Industry; Southern Furniture Manufacturers Association; and, National Association of Manufacturers of Wood Office Desks and Tables.

All of the above trade associations were represented at the Public Seating Industry hearing except The Grand Rapids Furniture Manufacturers Association.

At the hearing on Metal Furniture testimony was given by the Steel Office

¹ 3 F.R. 2627, 2628 DI.

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Furniture Institute and by the National Association of Manufacturers of Wood Office Desks and Tables.

A survey of the average hourly earnings in the Furniture Manufacturing Industry as of Oct. 1937 which included data as to the three branches of the industry hereinabove mentioned, was presented in evidence.

On the basis of the evidence the Board made its recommendations. Thereafter,



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The Administrator circularized the recommendations and gave parties a reasonable time in which to register their objection thereto or their approval thereof before any determination in the matter should be made.

The survey of the Furniture Industry made by the Bureau of Labor Statistics covered wood household furniture, wood and metal office furniture, including shelving and lockers, and public seating; it did not cover store and lunch-room furniture and fixtures, and furniture for professional use for laboratories, barber shops, beauty parlors and the like. The evidence indicates that metal household and hospital furniture, exclusive of hospital laboratory equipment, is made by the manufacturers of steel office furniture under identical labor conditions. The survey covered 43,428 wage earners in 373 establishments; it covered 25 per cent of the employees engaged in the manufacture of wood household furniture; 50 per cent of the employees engaged in the manufacturing of case goods; 25 per cent of the employees engaged in the manufacture of upholstered furniture; and 20 per cent of the employees engaged in the manufacture of novelties. Fifty per cent of the employees in wood and metal office furniture and all of the employees in public seating were covered by the survey. The sample covered all principal producing States and is believed to be sufficiently representative of the wage conditions existing in the Furniture Manufacturing Industry.

Briefs have been filed taking objection to the Board's recommendation that the prevailing minimum wages in the manufacture of wood furniture in Virginia, Kentucky, North Carolina, Georgia, South Carolina, Florida, Alabama, Tennessee, Arkansas, Louisiana, Oklahoma, Texas, and Mississippi be 30 cents an

hour. It was asserted that the recognition of the 30-cent minimum in these States, hereinafter called the South, would result in the perpetuating of a differential that was not fair to the manufacturers whose plants were located in the other States for which the Board has recommended that the prevailing minimum be found to be 35 cents an hour or more. The objections taken generally request that the determination for the South be made so high as to assert a corrective influence upon competitive conditions. The Act authorizes the Secretary of Labor to find and not to change prevailing minima. The wage data shows that 30 cents is the minimum that prevails in the South. Two thousand two hundred and thirteen employees out of a total of 9,827 covered by the survey, or 22.5 per cent, fell within the wage bracket from 30 to 32.5 cents an hour. The two thousand one hundred and thirty-six employees who received less than 30 cents an hour were distributed without pronounced concentration from a minimum of under 12.5 cents to 30 cents.

The Board has recommended that I find that 35 cents an hour is the prevailing wage in the manufacture of wood furniture in all the States outside of the South, the Pacific Coast States, and New York and New Jersey. The wage structure of the States for which the Board has recommended this finding are similar as is indicated by a breakdown of the information contained in the Bureau of Labor Statistics survey. The first substantial concentration of employees in these States is in the interval between 35 and 37.5 cents at which point 1,088 employees out of a total of 16,296, or 6.7 per cent of the employees in the industry are found. In the 2.5-cent interval immediately below are found 690 employees or 4.2 per cent of all employees. Giving influence to the effect of this lesser concentration and to the fact that there is a total of 655 employees who receive less than 27.5 cents an hour but who are distributed in insignificant concentrations throughout the lower range of the wage structure, I find that the Board's recommendation as to these States was proper.

Briefs have been filed protesting against the Board's recommendation of a minimum wage of 40 cents an hour for the States of New York and New Jersey in the manufacture of wood furniture, suggesting that the minimum wages for these States should be found to be the same as that in the group of States last mentioned. Examining the wage data of these States I find that 221 employees or 4.7 per cent of the total fall in the wage interval between 32.5 and 37.5 cents. Considering this fact in connection with the fact of the geographical proximity of New York and New Jersey to some of the other States in the group last mentioned and of the further fact that the plants in New York compete generally with the States in the last

mentioned group I find that the prevailing minimum wages in New York and New Jersey are 35 cents an hour in the manufacture of wood furniture.

The Board's recommendation of a 50-cent minimum for California and Washington in the manufacture of wood furniture has not been challenged in the briefs received and seems to be sustained by the evidence of record. There appears a significant concentration of 254, or more than 14 per cent, of the total number of employees in the industry in the States of California and Washington in the wage interval between 47.5 and 52.5 cents an hour.

There has been considerable protest at the recommendation that I find the prevailing minimum wage in the manufacture of wood furniture in Oregon to be 60 cents an hour. The briefs have emphasized that the recommendation, if followed, would result in unfair competitive conditions on the Pacific Coast. The information contained in the briefs has led me to believe that the minimum for Oregon should be found to be the same as that for Washington and California and accordingly I find it to be 50 cents an hour.

The Trade Practice Committee, Public Seating Industry, has objected to the Board's recommendation as to the prevailing minimum wages in the manufacture of public seating, principally for the reason that it recognizes a differential in favor of the South. Only three plants in the South are generally engaged in the manufacture of public seating as hereinafter defined. As found by the Board, these three plants pay an average wage that is lower than that paid by the Northern plants. The averaging together of the wages paid by all plants in the North does not give a true picture of the wages there existing. The Bureau of Labor Statistics report shows that in Michigan there was a spread of 38.5 cents between the average wage in the highest wage plant and the lowest wage plant in that State. There was a spread of 33.5 cents in Indiana; 31 cents in Illinois; and 14.7 cents in Wisconsin. The spread indicates that there exists throughout the industry, whether it be located in the North or in the South, plants paying wages lower than the normal. Under these circumstances it cannot be said that there exists an established differential in favor of the South; rather, it must be said that the wage data indicate that there exists throughout the industry, no matter where located, certain plants that are paying wages that are subnormal when tested by the standards that generally prevail in the industry. Under these circumstances, there appears to be no reason for a Southern differential in this industry.

The Board's recommendation that I find the prevailing minimum in the manufacture of public seating to be 37.5 cents an hour seems to be justified. 293 employees or 9.4 per cent fall in the interval

between 35 and 40 cents. I find the prevailing minimum wage in the manufacture of public seating to be 37.5 cents an hour or \$15 per week of forty hours.

The Board's recommendation of 45 cents an hour or \$18 per week for the Metal Furniture Manufacturing Industry seems justified. Two hundred and forty-eight employees out of a total of 4,135 in the entire industry, or 6.0 per cent of the total, fall within the interval between 42.5 and 47.5 cents an hour. Only 3.1 per cent of the employees are found in brackets below this interval.

I note that the Upholsterers' International Union of North America has requested that a separate determination should be made for upholstered furniture. The wage data before me does not indicate that the minimum wages paid in upholstered furniture are different from those paid in the manufacture of other household furniture, although the upholsterers are paid a relatively high scale of wages. Further study will be made to determine whether or not the minimum wages are in fact higher in the manufacture of upholstered furniture than in the manufacture of other household furniture. In the meantime, I consider the evidence adequate to warrant a finding that the minimum wages prevailing in the manufacture of upholstered furniture are not less than those prevailing in the rest of the Wood Furniture branch of the industry.

Upon all the evidence submitted in this matter, including the briefs filed, I hereby determine—

(1) That the Wood Furniture branch of the Furniture Manufacturing Industry is defined to be that industry whose products include living room, library, bedroom, dining room, kitchen, hall, and office furniture (upholstered or unupholstered); chairs (upholstered or unupholstered), desks and tables for other uses not specifically excepted herefrom; parlor frames, chairs in the white, furniture parts of wood, and other unfinished household furniture.

"Furniture parts of wood" shall be understood to mean wood parts for furniture where the process of manufacture has advanced so far that the product can be used only in the production of furniture but not to include hardwood dimension stock nor plywood.

Studio couches, household furniture made of metal, fibre, rattan, reed and willow are not comprehended by this minimum wage determination for the Wood Furniture Manufacturing Industry.

Store and lunchroom furniture and fixtures, furniture for professional uses in laboratories, hospitals, barber shops and beauty parlors, as well as such specialized products as porch, camp, and juvenile furniture, are also excluded from the definition of the Wood Furniture Manufacturing Industry.

(2) That the Public Seating branch of the Furniture Manufacturing Industry is defined to be that industry which fabricates, assembles, and installs (by those who fabricate or assemble) public seating (upholstered or unupholstered), fabricated or assembled of wood, plywood, iron, steel, non-ferrous metals, or any combinations of these materials, and consisting of the following:

(a) Fixed or connected seating for such public places as theatres, auditoriums, lodges, assembly halls, shoe stores, rinks, ball parks, race tracks, stadia, and other similar buildings, and structures;

(b) Pewing, chancel, choir stalls, and related furniture and accessories for ecclesiastical purposes, seats and benches for court houses, hospitals, public waiting rooms, and for other similar public purposes.

(c) Pupils' desks, pupils' tables, pupils' chairs, and school furniture for all educational purposes;

(d) Portable chairs with folding seats in both single and multiple units;

(e) Portable folding seating in single units for other than household use.

Provided, further, That the following are specifically not included: Tablet arm-chairs and school chairs fabricated and/or assembled exclusively of wood.

(3) That the Metal Furniture branch of the Furniture Manufacturing Industry is defined to be that industry whose products include—

Metal office furniture. Vertical filing cabinets, horizontal sections and half-sections, and bookcases, hi-line and book-shelf units, card index cases, transfer units, desks, tables, chairs, storage cabinets and wardrobes.

Metal hospital furniture.

Metal household furniture.

Steel shelving. Industrial and general-purpose steel shelving, miscellaneous fittings, attachments, and accessories.

Steel lockers. Box lockers, single-tier lockers, double-tier lockers, two-person and compartment lockers, miscellaneous fittings as used in schools, clubs, gymnasiums, commercial, and industrial establishments.

Visible filing. Cabinets.

Equipment. Panels.

And Further—

(1) That the prevailing minimum wages for persons employed in the manufacture or furnishing of the products of the Wood Furniture branch of the Furniture Manufacturing Industry are the amounts indicated for each of the following groups of States, whether arrived at on a time or piece rate basis;

For the States of Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Ohio, Indiana,

Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, Maryland, West Virginia, Delaware, Kansas, Nebraska, South Dakota, North Dakota, Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Idaho, Nevada, and the District of Columbia, 35 cents an hour, or \$14 per week of 40 hours, arrived at either upon a time or piece rate basis;

For the States of Virginia, Kentucky, North Carolina, Georgia, South Carolina, Florida, Alabama, Tennessee, Arkansas, Louisiana, Oklahoma, Texas, and Mississippi, 30 cents an hour or \$12 per week of 40 hours, arrived at either upon a time or piece rate basis;

For the States of California, Washington, and Oregon, 50 cents an hour, or \$20 per week of 40 hours, arrived at either upon a time or piece rate basis.

(2) That the prevailing minimum wages for persons employed in the manufacture or furnishing of the products of the Public Seating branch of the Furniture Manufacturing Industry are 37.5 cents an hour, or \$15 per week of 40 hours, arrived at either upon a time or piece rate basis.

(3) That the prevailing minimum wages for persons employed in the manufacture or furnishing of the products of the Metal Furniture branch of the Furniture Manufacturing Industry are 45 cents an hour, or \$18 per week of 40 hours, arrived at either upon a time or piece rate basis.

This determination shall be effective and the minimum wages hereby established for the respective branches of the Furniture Manufacturing Industry shall apply to all such contracts, bids for which are solicited on or after May 13, 1939. Dated this 3rd day of May 1939.

[SEAL] CHARLES V. McLAUGHLIN,
Acting Secretary of Labor.

[F. R. Doc. 39-1525; Filed, May 5, 1939;
10:52 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

National Bituminous Coal Commission.

[General Docket No. 15]

IN THE MATTER OF THE ESTABLISHMENT OF MINIMUM PRICES AND MARKETING RULES AND REGULATIONS: IN RE MINIMUM PRICES AS COORDINATED BY THE DISTRICT BOARDS FOR DISTRICTS NOS. 16 AND 18 AND AS COORDINATED BY THE COMMISSION FOR DISTRICTS NOS. 17, 19, 20, 22 AND 23
SUPPLEMENTAL NOTICE IN THE MATTER OF HEARING ON THE PROPOSED SCHEDULE OF COORDINATED MINIMUM PRICES FOR DISTRICT NO. 18

Whereas, Notice having heretofore been issued¹ of a hearing to be held in

¹ 4 F.R. 1777 DI.

the Albany Hotel of the City of Denver, Colorado, commencing at 10:00 o'clock a. m. on the 19th day of May, 1939, for the purpose of receiving evidence to enable the Commission to establish minimum prices f. o. b. transportation facilities at the mines for the kinds, qualities, and sizes of coal produced in District No. 18, as provided by Section 4, II, (b) of the Bituminous Coal Act of 1937, and

A schedule of proposed minimum prices coordinated by District No. 18, being a part of said notice and published in the FEDERAL REGISTER in its issue of May 4, 1939 at Page 1877 therein, contains a provision that coordinated prices for coals sold on Government contracts would be proposed by said District No. 18 when certain computations had been completed, and said computations having been completed, the District Board for District No. 18 has submitted to the Commission and to the code members within District No. 18 a schedule of proposed coordinated minimum prices to apply on Government purchase of coal to be inserted at Page 8 (FEDERAL REGISTER, May 4, 1939, Page 1879) of the original proposed schedule, entitled "District No. 18—Supplement to Proposed Schedule of Coordinated Minimum Prices," copy of which is hereto attached and by this reference incorporated herein and made a part hereof:

Now, therefore, notice is hereby given that at the hearing before the Commission in its Hearing Room in the Albany Hotel, Denver, Colorado, commencing at 10:00 a. m. on the 19th day of May, 1939, the aforesaid "Supplement to Proposed Schedule of Coordinated Minimum Prices" for District No. 18, will be offered as the proposal of said District Board No. 18, in like manner as the original proposed schedule of coordinated minimum prices for District No. 18 and in accordance with the terms of the original notice of hearing issued herein.

Dated this 4th day of May 1939.

[SEAL] NATIONAL BITUMINOUS
COAL COMMISSION,

By F. WITCHER McCULLOUGH,
Secretary.

*Supplement to Proposed Schedule of
Coordinated Minimum Prices Adopted
April 3, 1939*

APRIL 27, 1939.

The enclosed schedule of proposed coordinated minimum prices to apply on government purchases of coal is to be inserted at page 8 of the adopted proposed schedule, dated April 3, 1939 and made a part thereof.

A. R. LITTS,
Secretary,
District Board No. 18.

PROPOSED COORDINATED PRICES IN DOLLARS AND CENTS PER NET TON FOR SHIPMENT VIA
RAIL TRANSPORTATION INTO MARKET AREAS 125-125A-126-129 ON GOVERNMENT
CONTRACTS

Sub-District No. 1

TO MARKET AREA 125

Destination	1	2	3	4	6
Brownwood.....	450	370	370	360	350
Capitan.....	450	370	370	360	350
Carlsbad.....	450	370	370	360	350
El Paso.....	450	370	370	360	350
Lake Arthur.....	450	370	370	360	350
Lamesa.....	450	370	370	360	350
Lubbock.....	450	370	370	360	350
Mirage.....	450	370	370	360	350
Roswell.....	450	370	370	360	350

TO MARKET AREA 125-A

Marfa.....	450	370	370	360	350
Ysleta.....	450	370	370	360	350

TO MARKET AREA 126

Mountainair.....	450	370	370	360	350
Ft. Sumner.....	450	370	370	360	350

TO MARKET AREA 129

Animas.....	450	425	425	400	350
Burch.....	450	425	425	400	350
Bayard.....	450	425	425	400	350
Benson.....	450	425	425	400	350
Clifton.....	450	425	425	400	350
Continental.....	450	425	425	400	350
Deming.....	450	425	425	400	350
Douglas.....	450	425	425	400	350
Duncan.....	450	425	425	400	350
Engel.....	450	425	425	400	350
Flux.....	450	425	425	400	350
Ft. Hauchuca.....	450	425	425	400	350
Ft. Seldon.....	450	425	425	400	350
Ft. Thomas.....	450	425	425	400	350
Globe.....	450	425	425	400	350
Lordsburg.....	450	425	425	400	350
Las Cruces.....	450	425	425	400	350
Magdalena.....	450	425	425	400	350
Miami.....	450	425	425	400	350
Nogales.....	450	425	425	400	350
Pima.....	450	425	425	400	350
Rodeo.....	450	425	425	400	350
San Marcel.....	450	425	425	400	350
Safford.....	450	425	425	400	350
San Carlos.....	450	425	425	400	350
San Simon.....	450	425	425	400	350
Santa Rita.....	450	425	425	400	350
St. Davids.....	450	425	425	400	350
Silver City.....	450	425	425	400	350
Tucson.....	450	425	425	400	350
Vall.....	450	425	425	400	350
Willcox.....	450	425	425	400	350
Whitewater.....	450	425	425	400	350
Yuma.....	450	425	425	400	350

Sub-District No. 2

TO MARKET AREA 125

Destination	1	2	3	4	6
Brownwood.....	5. 22783	4. 35888	4. 35888	3. 96819	3. 86289
Capitan ¹	5. 36341	4. 49446	4. 49446	4. 11357	4. 00827
Carlsbad.....	5. 11582	4. 24687	4. 24687	3. 92651	3. 82147
El Paso.....	5. 32629	4. 45730	4. 45730	4. 08691	3. 98187
Lake Arthur.....					
Le Mesa ¹					
Lubbock ¹	5. 05058	4. 18163	4. 18163	3. 86508	3. 75978
Mirage.....	5. 38900	4. 52032	4. 52032	4. 15420	4. 04890
Roswell.....					

TO MARKET AREA 125-A

Marfa.....	5. 03022	4. 16100	4. 16100	3. 79076	3. 68546
Ysleta.....	4. 96793	4. 09898	4. 09898	3. 73976	

¹ No rates.

PROPOSED COORDINATED PRICES IN DOLLARS AND CENTS PER NET TON FOR SHIPMENT VIA
RAIL TRANSPORTATION INTO MARKET AREAS 125-125A-126-129 ON GOVERNMENT
CONTRACTS—Continued

Sub-District No. 2—Continued

TO MARKET AREA 126

Destination	1	2	3	4	6
Mountainair	5.06513	4.19618	4.19618	3.90404	3.79874
Ft. Sumner	5.33770	4.46874	4.46874	4.14344	4.03814

TO MARKET AREA 129

Animas	5.25873	4.98741	4.98741	4.43435	3.90811
Burch	5.34378	5.07218	5.07218	4.48372	3.95974
Bayard	5.12903	4.85445	4.85445	4.35377	3.82573
Benson	5.28409	5.01251	5.01251	4.45017	3.92394
Clifton	5.28301	5.01143	5.01143	4.44909	3.92286
Continental	5.38309	5.11151	5.11151	4.50958	3.98390
Deming	5.11392	4.73392	4.73392	4.34701	3.82077
Douglas	5.20058	4.98900	4.98900	4.43589	3.90965
Duncan	5.28486	4.01328	4.01328	4.45063	3.92465
Engel	5.03193	4.76035	4.76035	4.27373	3.74750
Flux	5.37067	5.09009	5.09009	4.49780	3.97156
Ft. Hauchuca	5.38521	5.11363	5.11363	4.51163	3.98540
Ft. Seldon	5.04325	4.77167	4.77167	4.28038	3.75440
Ft. Thomas	5.33499	5.06341	5.06341	4.48040	3.95442
Globe	5.33711	5.06553	5.06553	4.48245	3.95621
Lordsburg	5.22738	4.95580	4.95580	4.41573	3.88950
Las Cruces	5.04755	4.77624	4.77624	4.28385	3.75762
Magdalena	5.02461	4.75303	4.75303	4.26745	3.74121
Miami	5.34587	5.07429	5.07429	4.48777	3.96154
Nogales	5.38309	5.11151	5.11151	4.50958	3.98361
Pima	5.30209	5.03051	5.03051	4.46110	3.93487
Rodeo	5.26058	4.98900	4.98900	4.43589	3.90965
San Marcial	5.01871	4.74739	4.74739	4.26543	3.73919
Safford	5.29337	5.02179	5.02179	4.45945	3.93322
San Carlos	5.33499	5.06341	5.06341	4.48040	3.95442
San Simon	5.25606	4.98448	4.98448	4.43252	3.90654
Santa Rita	5.06673	4.79515	4.79515	4.29619	3.77021
St. Davids	5.28224	5.01066	5.01066	4.44864	3.92240
Silver City	5.12705	4.85547	4.85547	4.35465	3.82842
Tucson	5.30209	5.03051	5.03051	4.46110	3.93487
Vail	5.30209	5.03051	5.03051	4.46110	3.93487
Willcox	5.28224	5.01066	5.01066	4.44864	3.92240
Whitewater	5.06299	4.79141	4.79141	4.29330	3.76732

Standard Analysis for Sub-District No. 1 of District No. 18 for Bids on Federal,
State or Local Governments or Sub-Divisions Thereof

Size group	M	V	C	A	B. T. U.		S
					Dry	As re- ceived	
1. Lp. over 4"	9.9	41.7	49.3	9.0		12, 172	0.6
2. 2" Lp.						12, 172	
4. 8" x 1½" Stove						12, 172	
3. 6" x 3"						12, 172	
6. 3" x 1½"						12, 172	
8. 1½" x 1" Pea	10.6	38.9	50.3	10.8	12, 560	11, 240	.6

Standard Analysis for Sub-District No. 2 of District No. 18 for Bids on Federal,
State or Local Governments or Sub-Divisions Thereof

Size group	M	V	C	A	B. t. u.		S
					Dry	As re- ceived	
1-2-3. Lp. over 4"	1.06	34.34	55.53	10.13	13, 444	13, 222	0.8
4-6. Stove 8" x 1½"	1.9	31.30	55.9	12.8	13, 050	12, 810	.7
8. Pea 1½" x 1"	1.7	34.13	54.20	11.67	13, 229	13, 003	.75

[F. R. Doc. 39-1531; Filed, May 5, 1939; 12:22 p. m.]

SECURITIES AND EXCHANGE COM-
MISSION.

United States of America—Before the
Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 3rd day of May 1939.

IN THE MATTER OF WALSTON & CO., VERNON C. WALSTON, WILLIAM SHERMAN HOEL-SCHER, CHARLES DE Y. ELKUS AND CLIF-FORD P. HOFFMAN, 265 MONTGOMERY STREET, SAN FRANCISCO, CALIFORNIA

ORDER CHANGING DATE OF HEARING

It is ordered, That the hearing in the above-entitled matter, instituted by the

Commission's order of April 26, 1939,¹ pursuant to Section 15 (b) and 19 (a) (3) of the Securities Exchange Act of 1934, as amended, heretofore scheduled to begin May 8, 1939, be and is hereby postponed, to begin May 15, 1939, at the same time and place.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-1527; Filed, May 5, 1939;
11:20 a. m.]

United States of America—Before the
Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 3rd day of May, A. D. 1939.

[File No. 32-139]

IN THE MATTER OF HOOSIER GAS
CORPORATION

ORDER APPROVING APPLICATION, ETC.

Hoosier Gas Corporation, a subsidiary of Consolidated Electric and Gas Company, a registered holding company, having filed an application and amendments thereto pursuant to Section 6 (b) of the Public Utility Holding Company Act of 1935 for exemption from the provisions of Section 6 (a) of said Act of the assumption by it of the payment of the principal of and interest on a First Mortgage 4% Bond to be issued by the Newton Pipe Line Company, Inc. in the principal amount of \$55,000 (hereinafter called "Newton Bond"); and having filed an application and amendments thereto pursuant to Section 10 (a) (3) of said Act for approval of the acquisition by it of certain property and other assets of the Newton Pipe Line Company, Inc. and the Indiana Southwestern Gas Corporation;

A hearing on such applications having been held after appropriate notice;² no member of the public having appeared or requested an opportunity to be heard; and the Commission having considered the record in this matter and having filed its findings herein;

It is ordered, That the application regarding the acquisition of the aforesaid property and assets be approved.

It is further ordered, That the assumption of said Newton Bond, be, and the same hereby is, exempted from the provisions of Section 6 (a) of the Public Utility Holding Company Act of 1935, subject, however, to the following conditions:

(1) that the assumption of the Newton Bond shall be effected in accordance with the terms and conditions of, and for the purposes represented by, said amended application;

(2) that the exemption shall immediately terminate without further order of

¹ 4 F.R. 1713 DI.

² 4 F.R. 1547 DI.

this Commission in the event that the express authorization by the Public Service Commission of the State of Indiana of the assumption by Hoosier Gas Corporation of the Newton Bond thereunder shall be revoked or shall otherwise terminate;

(3) that within ten days after the assumption of the Newton Bond the applicant shall file with this Commission a certificate of notification showing that the assumption of the Newton Bond has been effected in accordance with the terms and conditions of, and for the purposes represented by, said application as amended.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-1528; Filed, May 5, 1939;
11:20 a. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 3rd day of May 1939.

[File No. 7-386]

IN THE MATTER OF THE NEVADA-CALIFORNIA ELECTRIC CORPORATION PREFERRED STOCK, \$100 PAR, 3% CUMULATIVE—4% NON-CUMULATIVE

ORDER GRANTING APPLICATION

Continuance of unlisted trading privileges on the New York Curb Exchange in the 7% Cumulative Preferred Stock, Par Value \$100, of The Nevada-California Electric Corporation, having been permitted by action of this Commission on October 1, 1934; and

Said Exchange, pursuant to paragraph (b) of Rule X-12F-2, having applied to this Commission setting forth that there are being effected changes in said security other than those specified in paragraph (a) of said Rule and asking the Commission to determine that said security after said changes is substantially equivalent to the said security heretofore admitted to unlisted trading privileges; and

The Commission having considered the matter;

It is ordered, Pursuant to Section 12 (f) and 23 (a) of the Securities Exchange Act of 1934, as amended, and Rule X-12F-2 (b) promulgated thereunder, that the determination sought by said application is made and the application is hereby granted.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-1526; Filed, May 5, 1939;
11:20 a. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 3rd day of May 1939.

[File No. 7-387]

IN THE MATTER OF DETROIT INTERNATIONAL BRIDGE COMPANY CERTIFICATES OF DEPOSIT FOR FIRST MORTGAGE SINKING FUND 6½% GOLD BONDS, DUE AUGUST 1, 1952, "STAMPED REJECTED"

ORDER GRANTING APPLICATION

Continuance of unlisted trading privileges on the New York Curb Exchange in the Certificates of Deposit for First Mortgage Sinking Fund 6½% Gold Bonds, due August 1, 1952, of Detroit International Bridge Company, having been permitted by action of this Commission on October 1, 1934; and

Said Exchange, pursuant to paragraph (b) of Rule X-12F-2, having applied to this Commission setting forth that there are being effected changes in said security other than those specified in paragraph (a) of said Rule and asking the Commission to determine that said security after said changes is substantially equivalent to the said security heretofore admitted to unlisted trading privileges; and

The Commission having considered the matter;

It is ordered, Pursuant to Section 12 (f) and 23 (a) of the Securities Exchange Act of 1934, as amended, and Rule X-12F-2 (b) promulgated thereunder, that the determination sought

by said application is made and the application is hereby granted.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-1530; Filed, May 5, 1939;
11:20 a. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 3rd day of May 1939.

[File No. 7-387]

IN THE MATTER OF DETROIT INTERNATIONAL BRIDGE COMPANY CERTIFICATES OF DEPOSIT FOR PARTICIPATING SINKING FUND 7% GOLD DEBENTURES, DUE AUGUST 1, 1952, "STAMPED REJECTED"

ORDER GRANTING APPLICATION

Continuance of unlisted trading privileges on the New York Curb Exchange in the Certificates of Deposit for Participating Sinking Fund 7% Gold Debentures, due August 1, 1952, of Detroit International Bridge Company, having been permitted by action of this Commission on October 1, 1934; and

Said Exchange, pursuant to paragraph (b) of Rule X-12F-2, having applied to this Commission setting forth that there are being effected changes in said security other than those specified in paragraph (a) of said Rule and asking the Commission to determine that said security after said changes is substantially equivalent to the said security heretofore admitted to unlisted trading privileges; and

The Commission having considered the matter;

It is ordered, Pursuant to Section 12 (f) and 23 (a) of the Securities Exchange Act of 1934, as amended, and Rule X-12F-2 (b) promulgated thereunder, that the determination sought by said application is made and the application is hereby granted.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-1529; Filed, May 5, 1939;
11:20 a. m.]